IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

Con.Case(C).No. 1288 of 2007(S)

AGAINST THE JUDGEMENT/ORDER IN WPC.13036/2007 Dated 02/07/2007

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PETITIONER/PETITIONER:

M.C.SURESH KUMAR, AGED 38 YEARS,
S/O.GOVINDHAN NAIR, PARUTHIYIL (H), PONMALA,
MALAPPURAM DISTRICT.

BY ADV. SRI.P.SANTHALINGAM
SRI.S.SHARAN

RESPONDENTS: 1ST RESPONDENT

P.RAJANI, W/O.K.M.S.BHATATHIRIPAD,
(AGED NOT KNOWN TO THE PETITIONER),
SECRETARY/GENERAL MANAGER, THE KOTTACKAL
CO-OPERATIVE URBAN BANK LTD. NO.1378,KOTTAKKAL PO,
-676 503, MALAPPURAM DIST.,NOW R/A. KAVANNATT MANA
POOZHITHARA,KOTTAKKAL P.O.,MALAPPURAM DISTRICT.

BY SC. ADV. SRI. P.J. DEVAPRASANTH.

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 23/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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Cont. Case (C) No.1288 of 2007

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Dated this the 23rd day of October, 2007

JUDGMENT

This court had by judgment dated 2.7.2007 disposed of the writ petition, on the basis of the submission of the learned counsel for the respondent Bank, by directing that if the petitioner remits the entire amount remaining to be paid and also bears the expenses for re-conveyance within a period of two months from today, the respondent Bank will re-convey the property to the petitioner. This Contempt of Court Case is filed alleging that the respondent is taking steps to sell the property and that the respondent remitted land tax in the name of the respondent even after receiving the order of this court.

2. Learned counsel for the respondent points out that in fact the property was purchased by the respondent and the direction was only to re-convey the property in case the petitioner remits the entire amount and also bears the expenses for re-conveyance within a period of two months. It is submitted that no amount has been paid by the petitioner within a period of two months.

I do not think that the petitioner has made out a case for pursuing the matter in contempt. Accordingly the Contempt of Court Case is closed.

(K.M. JOSEPH, JUDGE)

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